

Revised 03/06 WDNV

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

19 CV 6860G

FORM TO BE USED IN FILING A CIVIL COMPLAINT IN FEDERAL COURT  
(Non-Prisoner Context)

All material filed in this Court is now available via the INTERNET. See Pro Se Privacy Notice for further information.

## 1. CAPTION OF ACTION

A. Full Name of Plaintiff: NOTE: If more than one plaintiff files this action and seeks in forma pauperis status, each plaintiff must submit an in forma pauperis application or the only plaintiff to be considered will be the plaintiff who filed an application.

Carlos A. Santiago  
Melissa A. Laffredo

-VS-

B. Full Name(s) of Defendant(s) NOTE: Pursuant to Fed.R.Civ.P. 10(a), the names of all parties must appear in the caption. The court may not consider a claim against anyone not identified in this section as a defendant. Add a separate sheet, if necessary.

- |   |                        |
|---|------------------------|
| 1. City of Rochester, Police Department | 4. Lieutenants unknown |
| North Clinton (Goodman) Section         |                        |
| 2. Officers (4) names unknown           | 5.                     |
| 3. Officer Christopher A. Renz          | 6.                     |

## 2. STATEMENT OF JURISDICTION, VENUE and NATURE OF SUIT

All of these sections **MUST** be answered

Identify the basis for federal Court jurisdiction over your claim, such as that the United States government is a party to the action, all the parties reside in different states and therefore you claim diversity jurisdiction, or the claim presents a federal question or arises under federal law.

A. Basis of Jurisdiction in Federal Court: Plaintiffs mailing address: Carlos A. Santiago resides at 71 Hillview Dr Rochester, NY 14622. Melissa A. Laffredo resides at 27 Linnet St. Rochester, NY 14618. The City of Rochester and all officers @ work in Rochester, NY

State why the Western District of New York is the proper venue for this action, such as that your claim arises in or the defendant resides in the 17 westernmost counties of New York State.

B. Reason for Venue in the Western District: The claim arises in Monroe County, Rochester, New York.

Identify the nature of this action, such as that it is a civil rights claim, a personal injury or personal property (tort) claim, a property rights claim, or whatever it is.

C. Nature of Suit: The plaintiffs intend to sue for: The tort of negligence for false arrests, false detainment, false imprisonment, malicious prosecution, excessive force for damaging Melissa Laffredo's (R) Shoulder (L) Elbow (B) + (D) wrists, and pulling Melissa's hair out during arrest, mental assault/abuse, continuous psychological torment; as well as pain and suffering and punitive damages.

**3. PARTIES TO THIS ACTION**

**PLAINTIFF'S INFORMATION** NOTE: To list additional plaintiffs, use this format on another sheet of paper.

Name of First Plaintiff: Carlos A. Santiago  
Present Address: 71 Hillview Dr. Rochester, New York 14622  
(585) 339-9946

Name of Second Plaintiff: Melissa A. Laffredo  
Present Address: 37 Linnet St. Rochester, NY 14613  
(585) 286-5169

**DEFENDANT'S INFORMATION** NOTE: To list additional defendants, use this format on another sheet of paper.

Name of First Defendant: City of Rochester Police Department North Clinton Goodman  
Section  
Official Position of Defendant (if relevant):  
Address of Defendant: Rochester, NY

Name of Second Defendant: Officers (4) or more names unknown  
Official Position of Defendant (if relevant): Rochester Police Officers  
Address of Defendant: Rochester, NY

Name of Third Defendant: Officer Christopher A. Benz  
Official Position of Defendant (if relevant): Rochester Police Officer  
Address of Defendant: Rochester, NY

**4. PREVIOUS LAWSUITS IN STATE AND FEDERAL COURT**

A. Have you begun any other lawsuits in state or federal court dealing with the same facts involved in this action?  
Yes X No     

If Yes, complete the next section. NOTE: If you have brought more than one lawsuit dealing with the same facts as this action, use this format to describe the other action(s) on another sheet of paper.

1. Name(s) of the parties to this other lawsuit:  
Plaintiff(s): Carlos A. Santiago





The incident occurred on October 16<sup>th</sup>, 2018, at or about 2<sup>30</sup> pm at 32 Woodlawn St, Rochester, NY 14607, Carlos and Melissa were moving a 1996 Acura TL to storage and an altercation arose with, Melissa, Carlos, and Melissa's landlord Andrew Schram. Melissa called 911 and officers came to 32 Woodlawn St., Rochester, NY 14607. They spoke with Schram first and Melissa was recording from her phone. Officers asked her to stop recording and move to the sidewalk and she refused several times. The officers drew their weapons on her fiance, Carlos Santiago, and told him he was being arrested for an illegal gun he had hidden in his truck, allegedly ~~he~~ said Schram to officers. Carlos did not have a weapon or a vehicle at Melissa's residence. Melissa spoke out and said the officers were exploiting Carlos once again and she wanted them to release him. She was then grabbed forcibly by 4 officers and dragged to the police car in Mark's Texas Hots parking lot. She did not resist arrest and her (R) shoulder (R) elbow, (R) + (L) wrists were injured due to the excessive force used against



Also, Carlos was recording this from inside of the police car. Officer Renz opened the police car door and whipped Carlos's phone from his hands and threw it into the trunk of his car and broke his iPhone 7. Officer Renz stated that he was "going down" and that this was "His City" and he (Renz) could do whatever he wants and he told Carlos he was "going to get rid of him and nobody was going to care and he would disappear this time". All criminal charges against Carlos A Santiago and Melissa Laffredo in this matter have been Dismissed. Once again, the North Clinton Goodman Section Rochester Police Officers have brutally harassed, injured, mentally abused, ~~prag~~ psychologically tormented Carlos A Santiago and Melissa Laffredo ongoing since the incident with officer Shawn Jordan, Joseph Bonaceri, and Mary Barnes, as well as other officers, on March 6<sup>th</sup> 2012.

did the following to me (briefly state what each defendant named above did): \_\_\_\_\_

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The federal basis for this claim is: Carlos already has an action 6:14-CV-0679-FPG-MJP involving Rochester Police Department and officers.

State briefly **exactly** what you want the Court to do for you. *Make no legal arguments and cite no cases or statutes:*

The items of damages and injuries are: Continuous exploitation of the North Clinton Goodman Section Rochester Police Department Officers. Pain, suffering, humiliation, defamation, false arrests, false detainment, false imprisonment, malicious prosecution, excessive force to Melissa LaFrida, (R) shoulder, (L+R) wrists, (L) elbow, mental assault, psychological torment, as well as punitive damages.

**B. SECOND CLAIM:** On (date of the incident) \_\_\_\_\_,

defendant (give the name and (if relevant) position held of each defendant involved in this incident) \_\_\_\_\_

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did the following to me (briefly state what each defendant named above did): \_\_\_\_\_

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The federal basis for this claim is: \_\_\_\_\_

State briefly **exactly** what you want the Court to do for you. *Make no legal arguments and cite no cases or statutes:*

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**If you have additional claims, use the above format to set them out on additional sheets of paper.**

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**6. SUMMARY OF RELIEF SOUGHT**

Summarize the relief requested by you in each statement of claim above.

We are asking the court to award us \$2,000,000 for the tort of negligence for false arrests, false detainment, false imprisonment, malicious prosecution, excessive force injuring Melissa LaFredo, ~~me~~ continuous mental abuse, psychological torment from the North Dinton Goodman Section Police Department officers endured ~~for~~ our family, since 3/6/12.

Do you want a jury trial? Yes \_\_\_\_\_ No X

I declare under penalty of perjury that the foregoing is true and correct.

Executed on 11/19/19  
(date)

NOTE: Each plaintiff must sign this complaint and must also sign all subsequent papers filed with the Court.

Carlos A. Santiago  
Melissa A. LaFredo

Signature(s) of Plaintiff(s)

Supreme Court of the State of  
New York County of Monroe.  
In the Matter of the Claim of  
Carlos A. Santiago and  
Melissa A. Laffredo

- against -

City of Rochester, the City of  
Rochester Police Dept North Clinton  
Section Officers (4) names  
unknown, Officer Reiny, Lieutenant  
unknown

Please take notice that the  
claimants herein hereby makes  
claim and demand against you  
as follows:

1. The name and post office address  
of the claimant and of his/her  
attorney is:

Claimant

Carlos A. Santiago  
71 Hillview Drive  
Rochester, NY 14622  
(585) 339-9946

Claimants Attorney

PRO SE

RECEIVED

2019 JAN 14 P 10 55

CITY OF ROCHESTER

ACCEPTED

AS A  
NOTICE OF  
CLAIM

ONLY

OK



Claimant

Claimant's Attorney

Melissa A Laffredo  
32 Woodlawn St  
Rochester, NY 14607  
(585) 286-5169

PRO SE

2. The nature of claim:

The tort of negligence for false arrests, false detainment, false imprisonment, malicious prosecution, ~~the~~ excessive force damaging Melissa Laffredo's ① shoulder, ② elbow, right + left wrists, and pulling her hair out during arrest, mental assault and psychological torment; as well as pain and suffering and punitive damages.

3. The time when, the place where and the manner in which the claim arose: The incident occurred on October 16<sup>th</sup> 2018, at or about 2:30pm at 32 Woodlawn St Rochester, NY 14607.

Carlos and Melissa were moving a 1996 Acura TL to storage and an altercation arose with Melissa, Carlos and her landlord Andrew Schram. Melissa called the police and the officers came to 32 Woodlawn St Rochester, NY 14607 and spoke with Schram first and Melissa was recording from her phone. Officers asked her to stop and move to the sidewalk and she refused several times. The officers ~~arrested~~ drew their weapons on her fiance Carlos Santiago and told him he was being arrested for an illegal gun he had hidden in his truck. Carlos did not have a weapon or any vehicle at Melissa's residence. Melissa spoke out and said the officers were exploiting Carlos once again and she wanted them to release him. She was then ~~arrested~~ grabbed forcibly by 4 police officers and pulled to a police car in Mark's Texas



Hot's parking lot. She did not resist arrest and her (L) shoulder (R) elbow, and both left + right wrists have been injured due to the excessive force used against her. Also, Carlos was recording this from the inside of the police car. Officer Reinzo seen Carlos recording and opened the door of the police car and whipped Carlos phone from him and threw it in the trunk of the police car, also breaking his I phone 7. Officer Reinzo stated that he was going down and this is "His City" he can do whatever he wants and he told Carlos he was "going to get rid of him and nobody will care and he is going to make him disappear this time." All criminal charges against Carlos A. Santiago and Melissa A. Laffredo in this matter have been DISMISSED.

4. The damages incurred claims are:

pain, suffering, physical injuries, ~~the~~ humiliation, defamation, and punitive damages. That said claim and demand is hereby presented for adjustment and payment. You are hereby ~~is~~ notified that unless it is adjusted and paid within the time provided by law from the date of presentation to you, the claimants intend to commence an action on this claim.

Dated:

January 17<sup>th</sup> 2019

Rochester, NY 14607 Melissa A. LaFredo

Carlos A. Santiago

I, Carlos A. Santiago, Melissa A. LaFredo, am the claimants in the above-entitled action. I have read the foregoing complaint and know the contents thereof. The contents are true to my own knowledge except the matters therein stated to be



alleged upon information and  
belief, and ~~as to~~ <sup>as to</sup> those matters,  
I believe them to be true.

Carlos A. Santoro

Reina Laffredo

Kyle H. Adams  
Notary Public, State of New York  
Reg. #01AD6379476  
Qualified in Monroe County  
Commission Expires 08/20/20 22

State of New York)

County of Monroe

On this, the 11 day of Jan, 2019, before me a  
notary public, the undersigned officer, personally appeared Reina Laffredo  
known to me (or satisfactorily proven) to be the person whose name is  
subscribed to the within instrument, and acknowledged that he executed  
the name for the purposes therein contained.

In witness hereof, I hereunto set my hand and official seal.

Kyle H. Adams  
Notary Public



**Application for Access to Records  
Freedom of Information Law (FOIL)  
Monroe County, New York**

I hereby apply to ☐ inspect ☒ obtain a copy of the following records:\*

Please be specific:

- Video Footage on 10/16/18  
Monroe County Jail S. Plymouth
- 1) Booking Video / Strip Search Room (Melissa)  
Garage entrance to MCT from  
Hrs 3pm - 10pm
- 
- 2) Detailed Dispatch Log for 10/16/18  
1pm - 10pm 32 Woodlawn St.
- 
- 3) Detailed Dispatch Log for 8/22/18 - 8/23/18  
32 Woodlawn St  
8pm - 12pm

mlaffredo2@gmail.com

Name Melissa Lafranco

Signature Melissa Lafranco

Representing: (if applicable) Melissa Lafranco / Curios Santiago

Date: 9/19/19

Mailing Address: 71 Hillview Dr

Telephone: (include area code) (585) 773-8159

City, state zip code: Rochester, NY 14622

\*There is no charge for the inspection of documents; however, if duplication is requested by you, a charge of \$ 25 per page is payable to Monroe County.

**Notice: You have a right to appeal denial of this application.**

**Send Request to:**

Monroe County Access Officer

204 County Office Building • 39 West Main Street • Rochester, New York 14614

Phone: (585) 753-1080 • fax: (585) 753-1068 • email: [communications@monroecounty.gov](mailto:communications@monroecounty.gov)

[www.monroecounty.gov](http://www.monroecounty.gov)



**Case: 6:19-cv-06860**

**Assigned To : Geraci, Jr., Frank P.**

**Assign. Date : 11/19/2019**

**Description: Santiago et al v. City of  
Rochester**

JS 44 (Rev. 08/18)

## CIVIL COVER SHEET

19 CV 6860

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

## I. (a) PLAINTIFFS

Carlos A Santiago  
Melissa A Laffredo  
Monroe County

(b) County of Residence of First Listed Plaintiff  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Pro Se

## DEFENDANTS

City of Rochester Police  
Department North Clinton Goodman  
Section  
Officer Renz  
Monroe County

County of Residence of First Listed Defendant  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

NOV 19 2019

## II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff  
☒ 3 Federal Question (U.S. Government Not a Party)  
☐ 2 U.S. Government Defendant  
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

## III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- |   | PTF                                   | DEF                                   |   | PTF                        | DEF                        |
|---|---------------------------------------|---------------------------------------|---|----------------------------|----------------------------|
| Citizen of This State                   | <input checked="" type="checkbox"/> 1 | <input checked="" type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2            | <input type="checkbox"/> 2            | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3            | <input type="checkbox"/> 3            | Foreign Nation  | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

## IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Tort Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>LABOR</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 485 Telephone Consumer Protection Act <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>PRISONER PETITIONS</b> <b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement	<b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	
		<b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions		

## V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding  
☐ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from Another District (specify)  
☐ 6 Multidistrict Litigation - Transfer  
☐ 8 Multidistrict Litigation - Direct File

## VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

## VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$

\$ 2,000,000.00

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

## VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

Honorable Frank P. Geraci

DOCKET NUMBER

6:14-cv-06719-FPG

DATE

11/19/19

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # \_\_\_\_\_ AMOUNT \_\_\_\_\_ APPLYING IFP \_\_\_\_\_ JUDGE \_\_\_\_\_ MAG. JUDGE \_\_\_\_\_